

REMARKS

This Response is submitted in reply to the Office Action dated December 4, 2007. Claims 1, 3, 12, 27, 29 and 39 have been amended. No new matter was added by these amendments. Claims 2, 13 and 28 have been cancelled. Applicant submits a Request for Continued Examination with this Response. Please charge Deposit Account No. 02-1818 for the Request for Continued Examination and any other fees due in association with this Response.

As noted above, Applicant has filed a Request for Continued Examination with this Response. Accordingly, Applicant requests that the Examiner provide an upcoming Office Action which will “. . . identify any claims which he or she judges, as presently recited, to be allowable and/or . . . suggest any way in which he or she considers that rejected claims may be amended to make them allowable” in accordance with §707.07(d) of the MPEP.

The Office Action rejected Claims 1 to 5, 9 to 20, 27 to 31, 34 to 36 and 39 to 43 under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 6,309,300 to Glavich (“Glavich”). Applicant respectfully disagrees with these rejections. Applicant has made clarifying amendments to certain of these claims to clarify the existing claim elements and place these claims in condition for allowance.

Glavich discloses a gaming device including a main game and a bonus feature. In one embodiment, the bonus feature is initiated upon the occurrence of a bonus trigger event during a play of the main game. Specifically, Glavich, in a portion cited by the Office Action, states:

[t]he embodiment depicted in FIG. 2 involves a bonusing feature which permits a player to select up to a certain number (referred to herein as "Z") of items out of a plurality (referred to herein as "N") of selectable items . . . N may be selected based on the size of the wager for the last main game (although in some embodiments a player may be given an option to make an additional wager or side wager related to the bonusing feature, e.g., for the purpose of increasing the value of N). For example, a game could be configured such that N equals 4 if one coin was played, N equals 6 if two coins were played, and N equals 9 if 3 coins were played, and the like. In one embodiment of the invention, N may be determined at least partially in response to outcomes or other items in the main game such as in response to accumulated points or credits, the most recent main game

outcome, and the like. In some embodiments, the value of N may be selected at least partially in response to past gaming conditions, so as to assist in establishing bonusing prize probabilities configured to achieve compliance with gaming regulations and/or to control or limit overall or averaged prizes, e.g. to assist in achieving a desired game operator hold or profit. In some embodiments, the value of N may be selected at least partially randomly, such as by randomly selecting a value of N from among a plurality of candidate values or among a range of values. In one embodiment, selectable items are presented as a rectangular array of X rows and Y columns and accordingly N is selected or calculated as a product of X and Y 224. In some embodiments, selection or calculation of N may involve a combination of the above-described selection or calculation modes, such as randomly selecting N from among a first range of values in response to a 2-coin wager and randomly selecting a value of N from a second range (which includes higher potential values of N) in response to a three coin wager and the like. (Glavich, column 3, line 58 to column 4, line 28) (emphasis added).

Amended Claim 1 includes at least one processor configured to operate with at least one display device and at least one input device to enable a player to pick a designated number of selections, wherein the designated number of picks of the selections is based, at least in part, on the amount of credits wagered on each of a plurality of paylines in the base game, the designated number being at least one, and wherein different designated numbers of picks of the selections are based on different wager amounts for the plurality of paylines in the base game and for each picked selection, determine a selection outcome from a plurality of selection outcomes to associate with the selection, wherein for at least one of the selections, the selection outcome associated with the selection is based, at least in part, on the amount of credits wagered on each of the plurality of paylines in the base game. Applicant made similar clarifying amendments to Claims 12, 27 and 39.

Regarding former Claim 2 (now cancelled and incorporated into Claim 1), the Office Action stated, "Glavich discloses a game where the designated number of picks of the selection is based on the number of credit wagered per pay line in the base game," citing the above block quoted passage of Glavich. Glavich discloses "N" picks of the selections being based on a number of coins played in a main game, but does not disclose a designated number of picks of selections being based on the amount of

credits wagered on each of a plurality of paylines in a base game. As illustrated in the example of Fig. 3 (provided below) of the present application, different designated numbers of picks of the selections are based on different wager amounts for the plurality of paylines in the base game; and specifically, a wager of two credits per payline in the base game is associated with two picks in the bonus game.

FIG.3

BASE GAME			BONUS GAME	
CREDITS WAGERED PER LINE	NUMBER OF PAYLINES	CREDITS WAGERED	NUMBER OF PICKS	TYPES OF AWARDS ASSOCIATED WITH SELECTIONS
5	1	5	5	108 9 VALUES 109
5	14	70	5	9 VALUES
5 ~ 106b	15	121b ~ 75	123b ~ 5	4 VALUES + 5 SPINS
4	15	60	4	9 VALUES
3	15	45	3	9 VALUES
2 ~ 106a	15	121a ~ 30	123a ~ 2	9 VALUES ~ 108
1	15	15	1	9 VALUES

Glavich appears to disclose "N" picks being based on a total number of coins played in the main game, not a number of coins wagered on each of a plurality of paylines in the main game. Further, in Claim 1, for at least one of the selections, the selection outcome associated with the selection is based, at least in part, on the amount of credits wagered on each of the plurality of paylines in the base game. Glavich similarly does not disclose basing a selection outcome associated with a selection on a number of credits wagered on each of a plurality of paylines in the main game. Accordingly, Applicant respectfully submits that Claims 1, 12, 27, and 39 and the claims respectively depending therefrom are patentable over Glavich and in condition for allowance.

The Office Action rejected Claims 6 to 8, 21, 32, 33 and 44 under 35 U.S.C. § 103(a) as being unpatentable over Glavich in view of United States Patent No. 5,231,568 to Cohen et al. ("Cohen"). Applicant respectfully disagrees with these rejections. For at least the foregoing reasons, Applicant respectfully submits that

Claims 6 to 8, 21, 32 to 33 and 44 are patentable over the combination of Glavich and Cohen and in condition for allowance.

The Office Action rejected Claims 37, 38, 45 and 46 under 35 U.S.C. § 103(a) as being unpatentable over Glavich in view of United States Patent No. 5,855,514 to Kamille ("Kamille"). Applicant respectfully disagrees with these rejections. For at least the foregoing reasons, Applicant respectfully submits that Claims 37, 38, 45 and 46 are patentable over the combination of Glavich and Kamille and in condition for allowance.

Applicant has made an earnest endeavor to place this application in condition for allowance and such allowance is courteously solicited. If the Examiner has any questions related to this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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